

REMARKS

Claims 1-7, all the claims originally pending in the application, stand rejected. Applicant has amended claims 1, 3 and 4. Applicant has cancelled claims 5-7. Finally, Applicant has added new claims 8-13 in order to define added patentable features of the present invention.

Claim Rejections - 35 U.S.C. § 112

In a new rejection, claims 3 and 4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is traversed for at least the following reasons.

The Examiner correctly notes that claims 3 and 4 recite the limitations “the timing acquisition means” and “the timing guidance means” in lines 11-12 and 12-13, respectively. The Examiner finds insufficient antecedent basis for these limitations in the claim.

Applicant has amended the claims in order to remove this basis for rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 3-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Suzuki et al (6,227,968) or Sagawa et al (6,379,244). Claims 1, 3 and 4 all contain similar limitations. Thus, the following comments apply to all of these claims.

Claims 1, 3 and 4 have been amended to recite that the changing function with respect to the first player is based on a result of evaluation of the second player's stepping performance and said changing with respect to the second player is based on a result of evaluation of the first player's stepping performance. Clearly, this limitation is not taught in any prior art reference cited by the Examiner.

Suzuki et al reference teaches in Fig. 9 a case of two person play. In that example, with the progress of the game, timing marks are used that reflect a level of difficulty, which is different individually on the basis of an evaluation for each player. The patent further teaches beginning at col. 11, line 7, and with regard to the flowchart in Fig. 13, that the level of difficulty is increased, decreased or kept the same on the basis of the performance of an individual performer. However, there is no teaching that the guidance level for one player is based on the performance of the other player.

With regard to Sagawa et al, the Examiner points to locations in the specification that teach a dance-type game machine that permits competition between two players (the 2P mode disclosed at col. 13, line 49 - col. 16, line 32 and col. 23, lines 30-53). Timing is acquired and guidance provided to each player, and performance of the players is evaluated on the basis of the actual performance of each player (col. 14, line 65-col. 15, line 63). However, Sagawa et al, does not teach a guidance level changing means for changing a predetermined guidance level on the basis of an evaluation of a player's performance. The patent teaches that a player may proceed to a subsequent stage, advancing towards the end of the game (col. 16, lines 21-32) but it does not appear that the guidance level is affected. Moreover, the guidance level for one player is not based on the performance of the other player.

Claims 5-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Higurashi et al (6,582,309). This rejection is traversed as being moot in view of the cancellation of claims 5-7.

Claim Rejections - 35 U.S.C. § 103

Claims 2 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al or Sagawa et al in view of Higurashi et al. This rejection is traversed for at least the following reasons.

With regard to claim 2, the claim would be patentable for the reasons given for claim 1. Higurashi et al does not remedy the deficiencies noted in both of Szuki et al and Sagawa et al.

With regard to claims 5-7, the rejection is moot in view of the cancellation of these claims.

New Claims

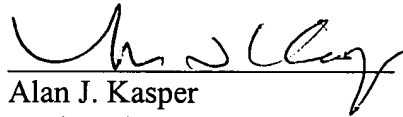
New claims 8-13 have been added. Claims 8-10 are directed to features as disclosed at page 30, lines 8-15. Claims 11-13 are directed to features as explained with respect to an exemplary embodiment disclosed at pages 12-20 with respect to Fig. 3. In particular, reference may be made to the description of the combo gage 72 and the individual level indicators 78, 80 as illustrated in Fig. 3 and taught at pages 17-18 for illustrative but non-limiting examples.

AMENDMENT UNDER 37 C.F.R. §1.111
USSN: 09/931,065

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Alan J. Kasper
Registration No. 25,426

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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